

IN THE HIGH COURT OF BOMBAY AT GOA

PUBLIC INTEREST LITIGATION WRIT PETITION NO.3/2020

FEDERATION OF RAINBOW
WARRIORS, THR. ITS DULY
AUT. MEM., VIRAJ V
BAKRE AND ANR.,

... Petitioners.

VS

THE DIRECTOR,
DIRECTORATE OF MINES
AND GEOLOGY, GOVT. OF
GOA AND 6 ORS.

... Respondents.

Mr. Nigel da Costa Frias, Mr. Gauresh T. Malik, Advocates for the
Petitioners.

Ms. Maria Simone Judith Correia, Additional Government Advocate for
Respondents No.1 to 4.

Mr. G. Shetye, Advocate for Respondent No.6.

**Coram: M.S. SONAK &
SMT. M.S. JAWALKAR, JJ.**

Date: 17th March 2021

P.C.:

Heard Mr. Nigel da Costa Frias for the Petitioners and Ms. Maria
Correia, learned Additional Government Advocate for Respondents No.1
to 4.

2. Ms. Correia points out that the substantive relief in this petition
has been rendered infructuous because the environment clearance dated

01.10.2015 which was impugned in this petition, has, since expired. She points out that the validity of this environment clearance was of five years only, as is clear from the document at Annexures 'D' and 'E' (pages 54 and 63).

3. According to us, since, the term of environment clearance has already expired, the relief in this petition has been rendered infructuous.

4. This petition is therefore disposed off as infructuous. Mr. Costa Frias submits that in the event any fresh environment clearances are issued for sand mining, liberty be granted to the Petitioners to question the same. There is no need for grant of any liberty, because, the Petitioners, can always challenge such clearances in accordance with law provided they satisfy the conditions for institution of public interest litigations.

5. This petition is accordingly disposed off as infructuous.

6. There shall be no order as to costs.

SMT. M.S. JAWALKAR, J.

jfd/-

M.S. SONAK, J.